

IN THE HIGH COURT OF JUDICATURE

ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and

THE HON'BLE MR JUSTICE M.VENKATESWARA REDDY

WRIT PETITION NO : 19175 of 2005

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Dated: 12th September 2005.

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Between:

Salam Bin Sultan

..... PETITIONER

AND

The Station House Officer, Charminal Police Station, Hyderabad and others

.....RESPONDENTS

THE HON'BLE SRI JUSTICE J.CHELAMESWAR

AND

THE HON'BLE SRI JUSTICE M.VENKATESWARA REDDY

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W.P.NO.19175 OF 2005

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ORAL ORDER:

(Per the Hon'ble Sri Justice J.Chelameswar)

This writ petition is taken up on the basis of a telegram dated 25th August 2005 issued by one Slam Bin Sultan complaining that her son Mr. Hassan Bin Salam Barakaba was arrested by the police in civil dress on 23rd August 2005 at about 6-00 pm and he was being shifted from one police station to other without producing him before any Magistrate.

The learned Advocate General took notice on 31st August 2005 and sought time to file counter.

Today, when the matter is taken up, a counter affidavit by the 1st respondent is filed, wherein it is stated that the alleged detenu Mr. Hassan Bin Salam Barakaba was not arrested, as alleged in the telegram on 23rd August 2005, by the deponent of the affidavit, but on enquiry, after the notice in the present writ petition, the deponent came to know that the alleged detenu was, in fact, arrested by the Sub-Inspector of Police, Humanyun Nagar Police Station, on 28th August 2005 at 10-35 p.m. somewhere around Sarojini Devi Eye Hospital, Hyderabad and a Bajaj Chetak scooter, bearing registration number A.P. 13 F 3882, was seized from his possession. According to the counter affidavit, the said scooter was a stolen scooter. The owner of the scooter one Syed Zaffer Ali s/o Syed Saber Ali lodged a complaint with the Humayun Nagar Police Station on 15th August 2005 regarding theft of the said scooter. Thereupon, a case in Crime No.287 of 2005 was registered and during the course of investigation, the Humayun Nagar Police arrested the alleged detenu on 28th August 2005 at about 10-30 p.m. and produced him before the VI Additional

Chief Metropolitan Magistrate, Hyderabad on 29th August 2005, who was remanded and currently lodged at Central Prison, Chenchalguda, Hyderabad.

In the circumstances, we do not see any reason to proceed further with the writ petition and the same is accordingly, closed at threshold.

J.Chelameswar, J

M.Venkateswara Reddy, J

12th September 2005

mrk